(29)

1950.

Copied from

File No. 53/48

XXVIII (a)

RH415 S

DEPARTMENT

BRANCH **B Class**

Subject:— Karnatak

Bombay Building

(Control on Erection)

Act 1948

ξ Copies from file 53/48 XXVIII(a) ?

P7 A1

(E)

B Class

Karnatak

File No. 53/48

Fld. Secrt. Slip 84 A

Labour and Housing Department

Extract from Assistant Secretary's notex dated the 17th February 1950.

"There was a trunk call from Honourable Minister (Labour and Housing) to Secretary. Honourable Minister has directed that the question of the relaxation of the provisions of the Bombay Building (Control on Erection) Act, 1948 should be examined at once by office and Officer on Special Duty and the whole material should be kept ready for discussion with Honourable Minister onnMonday, the 20thm February 1950. It is the intention of Honourable Minister that, if possible, the Bombay Building (Control on Erection) Act 1948 should be abolished".

2. The above was discussed this morning between Officer on Special Duty, Assistant Secretarry (Mr. Desai) and Superintendent and the following remarks are offered.

3. The Bomvay Building (Control on Erection) Act, 1948 was enacted in 1948 chiefly with a view to providing better housing accommodation, securing economic and orderly building development in the areas to which it extended and conserving the use of specified building materials like cement, iron, steel bricks and asbestos-cement sheets, which were found to be scarce, to the erection or re-erection of essential buildings only. Bearing these objects in view, it has to be examined now how far this Act continue s to secure the objects for which it was enacted in the light of changed circumstances if any obtaining at present.

4. Broadly, the Act controls the erection or re-erection of buildings belonging to two main categories viz. Residential and non-residential. We may consider first the case of Residential building.

5. Residential buildings.

Under the Act, all persons proposing to erect a residential building in the areas to which the Act extends viz. Bombay City and Suburbans, Ahmedabad Cantoment and Municipal Borough, Kalyan Municipal Borough and Thana Taluka, have to get a permit from the controller of Buildings before starting any work, if the building involves the use of specified buildingmaterials. If, however, the floor areaof which each residential tenement does not exceed 800 sq. ft. (now relaxed to 1200 sq. ft.) The Controller has to grant a permit as a matter of course. It was, however, felt of late that such a formality comes

in the way of residential building activity in the sense that it retards the expeditions erection of such buildings due to the several formalities required to be complied with under the Act by the prospective builder before he gets his permit. It was also observed that the position about materials has changed considerably. Bricks have been freely available for a long time now and the cement position has eased considerably of late. Indigeneous cement in large quantities is now available for a considerably. Bricks have been freely available for a long time now and the Bihar has varied considerably of late. Indegeneous cement in large quantities and the Govt. of India is thinking of removing control on cement interests concerned. Even the steel and iron shortage is not so acute as before. Taking all these circumstances into consideration, the Special Housing Development Committee considered at its last meeting whether building control on residential buildings with floor area of each tenement upto 1200 sq.ft, should not altogether be removed in interest of increased building activity. It is understood that the Committee were unanimously of the opinion that these kinds of residential buildings should forthwith be removed from the purview of the Building Control Act. We may go even further than this now in view of the improved position in regard to materials as mentioned above, and perhaps remove all residential buildings irrespective of floor area from the purview of the Act. It is unlikely that just because this control is removed people will go in for very large residential buildings, because the element of cost comes in. At the most, the number of such buildings that may come up will be very few. So far, therefore, as residential buildings go, it would seem that the time has come when it is no longer necessary to control their erection or re-erection under the Building control Act. We may, therefor, remove such buildings from purview of this Act.

6. Non-residential Buildings

These kinds of building fall under the following broad categories:-

(a) Places of Amusement and Entertainment

(b) Hotels and Boarding Houses

(c) Business and Commercial premises

(d) Public Institutions like schools, colleges, Hostels, public Hospitals et

(e) Places of Worship

(f) Industrial buildings.

Permits for building under (d) are usually always granted under our present permit policy. In other words, the Act does not as a rule come in the way of such build/ As regards buildings under (b) only luxury buildings are banned under our permit policy. It is unlikely that such luxury buildings will spring up in large numb

...ure due to the present economic situation in the country. The same is the case with buildings at (c) i.e. Places of Worship. They are generally never erected except in places where none exist at present and then too, only if the religious needs of the local population demand them. Hence, so far as the buildings at (b) (d) and (e) are concerned, the removal of buildings Control in respect of them will not, it seems affect the position adversely. B

7. As regards to building at (c) in para. 6 above viz. Business and Commercial Premises, we freely permit such buildings where 25% only is to be used for business purposes and the remaining 75% of the buildings is to be used purely for residential purposes. So far as Bombay City isconcerned new buildings which will be used exclusively for business purposes will normally spring up in a purely business or office locality only viz. broadly to the South of Cormac Road i.e. the Fort and Colaba area, and so not very many such buildings which will be used exclusively for business purposes will come up here. As regards other residential or mixed localities, it is most unlikely that buildings to be used entirely for business purposes will come up. Having regard to the demand for residential accomodation in such localities, persons constructing such buildings will usually confine their business premises as such, to the ground, or at most, to the ground and first floors only. The upper floors will almost always provide residential tenements which will fetch a decent income to the buildings. In other words, there is not likely to be a great departure from the present permit policy in regard to business and commercial premises even if the present control on such buildings under the Buildings Control Act is removed. Hence, even these kinds of buildings can be removed from the purview of the Act.

8. As regards the kind of buildings mentioned at (a) in para 6 above viz. Places of amusement and Entertainment, we have banned the erection of such buildings not only in the areas to which the Act applies at present, but in the whole of this State. These were considered buildings of a non-essential nature, which could be constructed in better times when materials were freely available. However, not every one thinks of constructing a Cinema House, or a Swimming Pool or Sports Stadium. Such cases will be few and far between. At a conservative estimate, about 20 such buildings at the most will be constructed in the State in the course of a year. Hence, this category of buildings alone ~~should not, it is submitted be allowed to one~~

should not, it is submitted be allowed to come in the way of our retaining building control. And in any case, so long as th existing control steel and iron continues, a check-up on an unduly large amount of such materials that may be used in such buildings, can always be made under the provisions of the existing orders controlling the sale and distribution of steel and iron, and the use of unnecessarily large amounts of such materials prohibited or disallowed. Hence in regard to this category of buildings also viz. Places of Amusement and Entertainment, it is submitted that the removal of buioding Control will not lead to any seribus repercussion so far as the materials position is concerned.

9. We come finally to the remaining category of buildings in para 6 above, viz Industrial buildings. There is now gainsaying the fact that the owners of such buildings are by far the largest consumers of specified building materials. If at all, therefore, Building Control is to be retained, it will have to be retained for controlling the erection or re-erection of these kinds of buildings. But under our permit Policy, there is another aspect of this question which is also taken into account when considering applications, particularly in Bombay city and Greater Bombay, and that is the zoning according to the Master Plan. For instance, applicatior for the erection of industrial buildings, in residential or non-industrial zones in the City are never granted, in the interests of planned development and the applicants are advised to select another site inthe industrial zone either in the city or Greater Bombay. Again, extensions of industrial buildings in industrial or non-industrial zones in the city are granted only if the new factories will to engaged in essential production and then too subject to the condition that 60% of the labour to be engaged in the extension is provided with residential accommodation. In Greater Bombay and elsewhere, the same policy is adopted except that the condition of 60% residential accommodation is not insisted upon. The removal of building Control in the case of these buildings will, therefor , endanger not only the spply position in regard to materials but also the planned development of industrial areas according to the Master Plan. It is understood that a comprehensive Bill to enforces ict conplaiance with the requirements of the Master Plan especially gard to residential industrial zoning, is under preparation in nd Local Govt. Deptt. In that case, the zoning aspect of buildings

control will in future be governed more by legislation on the subject than by permit policy underthe Building Control Act. It would not therefore, be out of place to retain building control only for industrial buildings but at the same time to entrust its administration to the Health and Local Govt. Deptt. or Development Deptt. which would be in a better position to see that all future industrial development would be on lines entirely compatible both with the building Control Act as well as with the legislation about zoning according to the Master Plan. If considered necessary, the Health and Local Govt. Deptt. and Development Deptt. may be consulted in the matter.

10. The immediate points for the consideration of Govt. are those mentioned at A, B, C, D and E in the paras above. If, on principal, the suggestions made by office are acceptable, further action will be taken to implement them i.e. in relation to be amended, establishemnt of the Controller of Buildings and Supervisors under him etc. etc.

J. Fernandez 15/2/50.

S.O. says H.O (L)

The office notem which has been prepared according to the instructions given by me, deals with the entire position under the Building Control Act.

It may please be seen that the position regarding the supply of essential building materials viz., bricks, cement has improved considerbly. In fact, there is hardly any shortage of these materials. As regards steel, the position regarding supply of this material is on the whole very much better then what was when the Act was promulgated. Under the circumstances it is necessary to review the entire position and to see if it is not possible to remove the control on building construction altogether.

The office note discussed the position under the Act regarding various types of buildings to which the Act applies. It shows that as far as residential buildings are concerned, continuance of the present restrictions under the Act have hardly any practical value as permits are under the present orders, being granted for most of the construction that can come under this category.

As regards other types of buildings, viz., hotels and boarding houses, public institutions and places of worship, removal of building control will not make any appreciable difference. Permits for public institutions are already being granted freely. Similarly, construction of hotels and boarding houses for low income groups and middle class are also being permitted. There will be very few buildings of the type that may not be permitted under these categories

under the present orders. Thus, removal of restrictions as far as these types of buildings are controlled under the Act are business and commercial premises. there case also there is an acute shortage of office accommodation in Bombay as well as in Ahmedabad to which the Building Control Act applies. in removing the present hardship experienced by already considering in what way Government can help people in this respect In the meanwhile, I think, the least we can do in this connection is to remove the present restrictions on this type of construction. Incidentally, I may mention that the Municipal Corporation has already requested Government to relax the present restrictions in connection with this type of buildings.

The building Control Act also applies to places of amusement and entertainment. I feel that as far as this type of buildings are concerned, we shall have to continue the present restrictions. In case all other categories of buildings are removed from the purview of the Building Control it may not be possible to retain the office of the Building Controller. In that case, the work of administration of the Act as far as this type of buildings are concerned, may be entrusted to the local District Magistrate, who may carry it out subject to the control of this Department.

The last category of buildings remaining to be dealt with is that of industrial premises. I think, as far as ~~far as~~ these buildings are concerned, we need not have any restrictions on their erection in Ahmedabad. As regards Bombay and Suburban District the restrictions were being used to:

(i) restrict all new construction of industrial premises to essential industries only in view of the prevailing congestion in Bombay;

(ii) ensure construction of such essential industries in zones earmarked for the purpose; and

(iii) where new essential industries are being put up the congested area of Bombay city, insist on their promoters' providing residential accommodation for at least 60 percent of their workers.

In case, Building Control Act is to be abolished, some means will have to be found ensuring these requirements. Either the Buildings control Act may be retained and made applicable to this category of structures and places of entertainment and amusement and its administration, as far as former type of buildings is concerned entrusted to the Development Department or some way of achieving these objects may have to be devised in consultation with Development Department as ~~xxxx

and Health & Local Self Government. I propose that this may be decided in consultation with these Departments.

We may also consider to what extent our present powers for regulating the use of steel can be utilised to control construction of buildings for (i) places of amusement and entertainment and (ii) industrial premises. These structures involve use of large quantities of steel and if the Building Control Acts is repealed altogether we would be justified in issuing some orders under Iron and Steel Control Order regulating use of steel in the construction of these types of buildings. The question was considered some time back and R.L.A. who was consulted in the matter has suggested a Draft Order prohibiting use of iron and steel in the erection of buildings, intended to be used as cinema theatres, etc. except with the written permission of the steel control authorities. The Draft Order may be modified so as to include the use of steel on industrial premises also. This will help in preventing black market in steel. Modified draft order will be put up if this suggestion is accepted.

Sd/- N. D. D(AFFAIR)
21.2.

This was discussed with Honourable Minister. The policy now is to remove control in respect of all buildings except (i) cinema theatres and such other houses of amusement (ii) industrial buildings.

2. The Building Control Act needs amendment. In section 1(2), we may add "The Govt. of Bombay may direct that the Act shall apply only in respect of buildings intended to be used for such purposes as may be specified by notification in the Official Gazette. This may be followed up by specifying the above two purposes in a notification. Secondly, the provison and explanation to sub-section (2) of section 4 may be deleted.

3. The change may be given effect to immediately by executive order to the Building Controller to permit all buildings except (1) and (2) above in the first para. A press Note may also issue to say that buildings may be proceeded with unless a refusal is communicated within the time mentioned in section 4(3)

4. As regards buildings at (2) in para 1, the Act may be administered as follows. The Director of Industries may be appointed Controller for (2), and Govt. in the Development Department may take up appeal under S. 5. The Labour Department

will then have little to do about industrial buildings and their zoned location. Labour Department may however be consulted by Dev.Deptt. about the general policy as regards industrial workers' housing.

5. As regards buildings at (i) in para. 1 District Magistrates may be appointed Controllers subject to appeals to Govt.in Labour Deptt. Consequent on the above arrangements, the establishement of the present Building Controller may be disbanded in due curse.

6. Honourable Minister ay see. Perhaps he may mention the changed policy to H. C. M. After para 3 is done, papers may be shown to Development Department as regard para4, before drafting of legislation is undertaken.

Sd/..N.K.D(RAVID)
22.2.50

Sd/ ...
28.2..

I. agree.expedite

Sd/..
2.3.50

I agree

This should be circulated to
1. H.M.L. S. G.)
2. H.M. (D.D.)
3. H.M. (H.D.)
for immediate attention before submitting to H.C.M.

Sd/..G.I. N(ANDA)
27.2.

A. should await
circulate and approval
of H.C.M.

K.G.D. 5/3/50

Labour and Housing Deptt.

Submitted with reference to the orders of Govt. on page 11 ante.

2. Secretary discussed this case with Superintendent this morning. Further action on these papers has now to be taken immediately in three directions. viz.

(i) Consultation with Development Deptt. on the points mentioned in para 4 of Secy's note on page 11 ante.

(ii) Issue of executive instructions to the Controller of Buildings and of a Press Note on the lines indicated in para 3 of Secretary note on pages 10-11 ante.

(iii) Drafting of an Amending Bill to the Building Control Act on the lines indicated in para 2 of Secy's note on P. 11 ante.

Secretary desired that all the three points above should be pursued simultaneously and for this purpose this file should now be separated into three separate parts for further action. In order to give effect to Secy's instructions office will now take our three copies of all the notes on page 1-15 ante and open three separate files. File No. I will be retained in this Deptt. for action on (i) above. File No. II will have to be referred No. u.o. to Dev. Deptt. for considering and offering remarks on (ii) above, and File No. III will also have to be retained in his Deptt. for action on (iii) above in consultation with the R.L.A.

3. To save time office has already put up draft letter to Controller of Buildings, and Press Note in these papers on point (i). Office has also put up dreft Amending Bill on point (iii) and draft notification. After these are approved, the drefts will be removed from these pp. and attached to file I and III respectively proposed to be opened, for further action.

Id/--- J.C. fernandez.
3.3.50

Draft letter to the Controller of Buildings and the press note may issue as corrected.

2. The Controller of Buildings may be asked to submit his proposals for winding up the Ahmedabad Sub- Office which will not be necessary as soon as the amendment to the Act is passed. The Controller of Buildings, Ahmedabad, should

be asked to finalise his pending cases and get ready to hand over the pending work etc. to the authority or authorities that may be appointed by Govt. for looking after the remaining work. Similar action will also be required to be taken in connection with the Bombay office of the Controller through in this case winding up of the office may take same time pending decision as to who should attend to the remaining work.

3. The draft amending bill and notification may be shown to R.L.A. file No. III may be forwarded to him in this connection.

4. File N^{O}. II may be forwarded to Dev. Deptt. for its very early remarks. It may be requested to treat the case as immediate.

Sd/..N. D. D.(AFTABY) 6.3.

Pages 19 and 21-A may issue. I shall examine the draft Bill thereafter.

Sd/.. N. K. D(RAVID) 6.3.

With the compliments of the
Director of Supplies,
Government of Bombay, Bombay.

P- 365
7.3.50. (5 p.m.)

BUILDING CONTROL RELAXED

The Government of Bombay has decided to relax the present restrictions under the Bombay Building (Control on Erection) Act, 1948 so as to allow construction of residential, business and commercial premises, without a permit from the Building Controller.

It may, however, be stated for the information of the prospective builders of business and commercial premises that it may not be possible to allot them indigenous steel for construction for some time to come and they will have to use imported steel for the purpose.

The construction of cinemas, theatres and places of amusement will continue to be controlled, all over the State in view of the prevailing shortage of essential building materials, particularly steel. Similarly the construction of industrial premises in Bombay City, Bombay Subraban District and the Thana Taluka of the Thana District will require a permit from the Building Controller in order to prevent congestion and to ensure construction of such premises in industrial zones set apart for the purpose.

The Bombay Building (Control on Erection) Act, 1948, is being amended accordingly. Meanwhile, the Controller will issue permits for the erection of such premises restrictions on the construction of which are proposed to be relaxed, very freely. The construction of such buildings may be proceeded with unless a refusal is communicated by the Controller within one month from the date on which an application for a permit for their erection was received by him.

Legislative Assembly Bill No. of 1950.

A Bill to amend the Bombay Building (Control of Erection) Act, 1948

Bom. XXX of 1948

Whereas it is expedient to amend the Bombay Building (Control on Erection) Act, 1948 for the purposes hereinafter appearing;

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Bombay Building (Control on Erection) (First Amendment) Act, 1950.

(2) It shall come into force immediately.

BOM XXXI of 1948.

2. In section of the Bombay Building (Control on Erection) Act, 1948, hereinafter called the said Act, (1) in sub-section (2).

Amendment of section 1 of BOM [illegible] 1948

(i) the existing sub-section shall be renumbered as clause as clause (i) of the said sub-section (ii) the following shall be inserted clause (ii) namely:-

"The Government of Bombay may by notification in the official Gazette direct that it shall apply only in respect of buildings intended to be used for such purposes as may be specified in such notification".

Amendment of section 4 of BOM XXXI of 1948

(3) In section 4 of the said Act, in sub-section 2,

i) for the existing proviso, the following shall be substitut namely:-

" Provided that if and when the Government of Bombay directs by a notification issued under clause (ii) of sub-section (2) of section1, that th Act shall apply in respect of buildings intended to be used for residential purposes, the Controller shall not refuse to grant such permission if he is satisfied that the erection or re-erection is of such a building consisting of one or more tenements each with a floor area not exceeding 1,200 square feet"

(ii) in the Explanation, for the words "this sub-section" occuring therein, the words "the proviso to this sub-section" shall be substituted.

Amendment of various section of Bombay XXXI of Bombay. of Savings

4. In the said Act, wherever the words "Provincial Government" occu the words "Government of Bombay" shall be substituted.

5. The amendments made in the said Act by the provisions of sections

Labour and Housing Department
Bombay Castle, March 1950.

Bombay Building (Control on Erection Act, 1948 (BOMXXXI of 1948.

Notification No. 55/48:- In exercise of the powers conferred by clause (ii) of sub-section (2) of section 1 of the Building (Control on Erection) Act, 1948, as amended by the Bombay Building (Control on Erection) (First Amendment) Act, 1950, the Government of Bombay is pleased to direct that the said Act shall apply, with effect from the date of this notification, in respect of buildings intended to be used for the purposes specified in the Schedule appended hereto :-

Schedule

(1) Cinemas, Theatres and other places of amusement or entertainment.

(2) New Industrial undertakings and extension of existing Industrial undertakings.

By order of the Governor of Bombay,

Secretary to Government.

Amendment of various sections of BOMXXXI of 1948

and 3 of this Act shall not have any effect in respect of and apply to any suit or proceeding pending in any court on the date on which this Act comes into force or to execution or other proceedings arising out of any decree or order passed by any court before the date on which this Act comes into force and any such suit or proceeding shall be continued or instituted and disposed of, as if this Act had not been passed.

L.&H.D.

Please see portions marked 'A','B' and 'C' on page 13-14 ante and para 4 of of Secretary's note on Page 11 ante.

2. These papers may now be referred Do. to the D.D. for "immediate" remarks on the question of taking over administrative control of the Bombay Building (Control on Erection) Act, 1948, as decided to be amended, so far as the erection or extension of Industrial undertakings in Bombay City, B.S.D. and Thana Taluka of Thana Dist., and the appointment of the Director of Industries as Controller under the amended for this purpose, are concerned.

Development Deptt. may kindly treat the case as immediate. I have already spoken to Under Secretary, Development Deptt. about it informally.

U.O.R. to D.D. dated 10/3/50.

Action in this department will be necessary on para 4 at page 11. Labour Deptt. may be requested to transfer all cases pertaining to the proposed transfer of subjects to this department.

11.3.50.

Presumably subjects has accepted on the proposals made in Labour Secretary's note dated 22.2.50. but there is no definite indication in these papers.

2. The appointment of the D/Ind as Controller is to be made by a notification; and this does not delay the proposed legislation. Development Department would have no objection to the proposals in para 4 of Labour Secretary note dated 22.2.50but before there are implements, the question of staff now engaged on this post of t o with and its possible transfer for (of posts if not of same men also) As to be considered. Labour & housing Deptt., may please forward the necessary information on this point.

11.3.50.

S.O. (Labour & Housing Department)

L.& H.D.

The presumption made in para 1 of Secretary Development Department's note D.D.'s note is correct. However, the time of actually appointing the Director of Industries as Controller under the Bldg Control Act and also transferring some of the existing staff of the C.J.B.B'by to the Directors of Industries for this work it will be necessary for D.D. to submit the papers to D.D., again.

2. As regards para 2 of Secretary D.D.'s note, we have already we asked the C. of B. B'by to submit proposals for the winding up of his office B'by This takes into consideration reduction of present staff due to relaxation of the Act and possible transfer of skeleton staff to Director of Industries for dealing with building control work for industrial undertakings. Unless one tried first received the proposals of the C.J.B. in the matter, we will not be in rp in a position to supply any information and the point wanted by Secretary D.D. at 'A' in the note.

15.3.50

No P.S.G. - 1226

From

THE PRIVATE SECRETARY TO THE GOVERNOR OF BOMBAY

To

The Additional Secretary to Government
Legal Department.

Government House.

Bombay
Ganeshkhind, April 26, 1950.

Subject: The Bombay Building (Control on Erection) (Amendment) Bill 1950.

Sir,

With reference to your letter No. 5385, dated April 20, 1950, I am directed to return herewith the authentic copy of the Bombay Building (Control on Erection) (Amendment) Bill, 1950, with His Excellency the Governor assent signified thereon.

Yours faithfully.

L.M.Nadkarni.

Private Secretary to the Governor of Bombay.

No. ..

No. P.S.G. -1227

Office of the Governor's private Secretary,
Government, House,
Bombay 6, April 26 1950.

Copy forwarded with co-pliments to the secretary to Government, Labour and Re
Department with reference to his endorsement No. 53/48-F, dated April 24, 19

Private Secretary to the Governor.

Publication of Act B.G.G. dy 1.5.

The Bombay Building (Control on Erection) ~~Amendment~~ (Amendment) Act, 1950, which was read and passed by both the Houses during the last session and which has since obtained the assent of the Governor, will shortly come into force as soon as the L.D. publishes the Act in the Gazette. It has ~~now~~ already been decided in other papers (under n.o.r. to R.L.A. at present) that the Director of Industries, Bombay, should be appointed as the "Controller" under the Act for industrial undertakings in Bombay City B.S.D. and th Thana Taluka of the Thana Distt, the ~~M~~ D.Ms of the Distt. should be appointed as "Controllers" for cinemas etc. in their respective Distt., as the Rationing Officer (Iron and Steel), Bombay, should be appointed as "Controller" for cinemas etc. in Bombay City and B.S.D. Detailed instructions have already been issued to the present Controller of Bldg. (Shri L.S.Ahuja) to hand over charge to the new "Controllers" (Director of Industries, so far as industrial undertakings are concerned, and Ration Officer (I.&S.) so far as cinemas etc. are concerned) as soon as notifications under the Act appointing these officers as "Controllers" are published. Shri Ahuja has kept everything in readiness for handing over charge. After the ~~appointment~~ appointment of new "Controllers" the subject of "Building Control", so far as industrial undertakings are concerned will be transferred to the Development Deptt, under whose control the Director of Industries works. All pending files on the subject in this Deptt. will therefore, to transferred to D.D. for disposal. So far as cinemas etc. are concerned, the D.Ms and the R O(I&S) B'by will be directly concerned but all appeals against the orders of these Officers made sec. 6 of the Act will be dealt with in this Deptt.- vide para 3 of Secy's note of dated the 22-8-50 on page 11ante.

2. Draft notifications are put up for approval which may issue since as soon as the L.D. published the Amending Act in the Gazette. Draft Press Note explaining the new position to the public as well as draft Circular to all D.Ms explaining to them their new functions under the Act, are also put up for approval. Perhaps the R.L.A. may see the notifications no. for revision, if necessary, before issue.

S.B.K.
Secy.

U.R. W.R.L.A. dated 4/5/50 (Immediate Please)
with on Bldg. Control.

Labour and Housing Department,
Bombay Castle, May 1950.

NOTIFICATION.

MBAY ILDING ONTROL ON ECTION) ct, 1948 m. XXXI of 948) and Bombay Building Control on rection) Amendment) 1950, (Bom XV f 1950).

NO. 53/48(a):- In exercise of the powers conferred by section 3 of the Bombay Building (Control on Erection) Act, 1948 (BOM XXXI of 1948) as amended by the Bombay Building (Control on Erection) (Amendment) Act 1950, (Bom XV of 1950) the Government of Bombay is pleased to appoint:-

(i) The Director of Industries, Bombay, as the Controller of Buildings for the City of Bombay, the Bombay Suburban District and the Thana Taluka of the Thana District, for the purposes of buildings intended to be use for the purposes of buildings intended to be used for an industrial undertaking;

(ii) The Rationing Officer (Iron and Steel) Bombay, as the Controller of Buildings for the City of Bombay and the Bombay Suburban District, for the poses of buildings intended to be used as a theatre, a cinema of any other plac of public amusement; for their respective districts for the purposes

(iii) The District Magistrates as the Controllers of Buildings intended be used as a theatre, a cinema or any other place of public amusement.

By order of the Governor of Bombe

J.R. DHURANDHAR.

Secretary to Government.

Bombay Building (Control on Erection) Act, 1948 (BOM. XXXI of 1948) and Bombay Building (Control on Erection) (Amendment) Act, 1950 BOM. of 1950).

No. 53/48(b):- In exercise of the powers conferred by section 11 of the Bombay B Bombay Building (Control on Erection) Act, 1948 (BOM XXXI OF 1948) as amended by the Bombay Building (Control on Erection) (Amendment) Act, 19 (BOM XV of 1950), the Government of Bombay is pleased to authorise the following persons for the purposes of the said section II namely:-

1. The Director of Industries, Bombay,
2. The Rationing Officer (Iron and Steel), Bombay,
3. The District Magistrates of all Districts in the State of Bombay.

By order of the Governor of Bombay,

J.R.DHURANDHAR.

Secretary to Government.

No. 53/48(c):- The following Government Notifications are hereby cancelled:-

(1) Political and Services Department Notification NO. 985/46(c) dated the 15th January 1948 authorising the Controller of Buildings, S.A.Patel and V.R.Bhate for the purposes of section 10 of the Bombay Building (Control on Erection) Ordinance, 1948.

(2) Political and Services Department Notification No. 985/46 dated 16th January 1948, apponting the Supervisor, Building Materials Sub-Office, Ahmedabad Municipal Borough and the Ahmedabad Cantoment. as Controlling Bldgs and Ahmedabad

(3) Political and Services Department Notifications Nos. 985/46-I and 985/46-II dated the 23rd February 1948 appointing L.S.Ahuja as Deputy Controller of Buildings, and Controller of Buildings, ~~and Controller of Buildings for the City of Bombay~~, the Bombay Suburban District, the Thana Taluka of the Thana District and the Kalyan Municipal Borough.

(4) Labour Department Notifications Nos. 985/46-I, and 985/46-II dated the 21st April 1948 appointing D.P.Sheh as Controller of Buildings for the Ahmedabad Municipal Borough and the Ahmedabad Cantonment, and authorising D.P.S for the purposes of section II of the Bombay Building (Control on Erection) Act, 1948.

(5) Labour Department Notification No. 985/46(b) dated the 16th September 1948 appointing V.R. L.S.Ahuja as Controller of Buildings for the whole of the Province.

(6) Labour Department Notification No. 985/46(c) dated the 16th September 1948 appointing V.R.Bhat as Controller of Buildings for the City of Bombay, the Bombay Suburban District and the Kalyan Municipal Borough

(7) Labour Department Notification No. 670/46 dated th 23rd October 1948 appointing S.A.Patel as Controller of Buildings for the Ahmedabad Municipal Borough and Ahmedabad Cantonment.

By order of the Governor of Bombay,

J.R.DHURANDHAR.

Secretary to Government.

****

To be published in the Bombay Government Gazette Extra-ordinary Part and to be returned with 100 spare copies.

Assistant Secretary to the Government of Bombay,
Labour and Housing Department.

PRESS NOTE.

In a press note issued on the 7th March 1950, it was announced that the Bombay Building (Control on Erection) ~~Act~~ Act, 1948, would apply in future only to the construction of cinemas, theatres and other places of amusement all over the state, and to the construction of industrial premises in Bombay City, Bombay Suburban District and the Thana Taluka of the Thana District.

The

~~The~~ new Controller of Buildings for the purposes of industrial premises is the Director of Industries, Bombay, and all applications for this purpose should in future be addressed to the Controller of Buildings, Office of the Director of Industries, Bombay, old Custom House, Bombay. The Department of the Secretariat which will now administer the Building Control Act in its application to industrial premises will be the Development Department instead of the Labour and Housing Department.

As regards cinemas, theatres and other places of amusement, applications for construction of such buildings should be addressed to the Rationing Officer (Iron and Steel) Bombay, ENSA HUTMENTS, Azad Maidan, Bombay, so far as ~~the Districts are concerned in the~~ Bombay City and Bombay Suburban District are concerned, and to the respective District Magistrates so far as the Districts are concerned as these officers are the new Controllers for this purpose. It may however, be stated for the information of those concerned that in view of the prevailing shortage of essential building materials, particularly steel, permission for constructing these kinds of buildings will not normally be granted.

++++++++++

No. 53/48-F,
Labour and Housing Department,
Bombay Castle, 17th May 1950.

Forwarded with compliments to :-

The Director of Publicity with a request to give wide publicity to this press Note.

The Director of Industries, Bombay.
The Rationing Officer (Iron and Steel), Bombay.
All District Magistrates.
The Development Department.
The Home Department.

By order of the Governor of Bombay,

(J.C.FERNADEZ)
For Secretary to the Government of Bombay,
Labour and Housing Department.

Bombay Building (Control on Erection) Act, 1948

Government of Bombay,
Labour and Housing Department,
Circular no. 53/48
Bombay Castle, 16th May 1950.

CIRCULAR:- The Bombay Building (Control on Erection) Act, 1948 as amended by the Bombay Building (Control on Erection) (Amendment) Act, 1950, applies inter alia to the whole of the state of Bombay, so far as buildings which are intended to be used for the purpose of a theatre, or cinema or any other place of public amusement, are concerned. Hitherto, the Controller of and consider applications for construction of these buildings all over the State. Government has now decided to appoint the District Magistrates as Controllers under the Act for this purpose in their respective Districts, and Rationing Officer (Iron and Steel), Bombay, as controller for this purpose so far as the city of Bombay and Bombay Suburban District are concerned. The necessary notifications under the Act are published in the Bombay Government Gazette Extra-ordinary, Part I.

2. In the meantime, all District Magistrates, and the Rationing Officer (Iron and Steel), Bombay, are informed that no permission should on any account be given by them under the Act for the construction of buildings of this kind without the prior approval of Government in this Department. When referring such cases to this Department for orders, a self contained report should accompany it in order to enable Government to examine each case on its own merits. In this connection, the attention of all District Magistrates is invited to the instructions contained in Government Circular, Labour Department, No. 1809/48/31271-E, dated the 28th September 1949.

3. The Superintendent, Government Printing and Stationery, Bombay, is being requested to forward to all District Magistrates and the Rationing Officer (Iron and Steel) Bombay direct, copies of the Bombay Building (Control on Erection) Act, 1948, the Bombay Building (Control on Erection) Rules, 1948 and copies of Government Notification, Labour and Housing Department No.53/48(a)(b)(c)(d) Extra-ordinary Part I.

By order of the Governor of Bombay,

(S.G.Desai)
For Secretary to the Government of Bombay,
Labour and Housing Department.

To

All District Magistrates.
The Rationing Officer (Iron and Steel), Bombay.

No. 53/48-F,
Labour and Housing Department,
Bombay Castle. 16th May 1950.

Copy forwarded with compliments to:-

The Superintendent, Government Printing and Stationery, Bombay, for favour of immediate action on paragraph 3 of the Circular.
The Home Department for information.

By order of the Governor of Bombay,

For Secretary to the Government of Bombay,
Labour and Housing Department.

No. 53/48F
L.&H.D.
B.I. May '50.

Copy forwarded ~~as~~ with compliments to:-

The Superintendent ~~C.I.D.~~ P & S., B'by. for favour of immediate action on para 3 of the Circular.

The H.D. for informati---

By order of the Governor of B'by

Secretary to the Government

3/5/50

Legal Department.

Attention of the Labour & Housing Department is invited to rule 65 read with rule 61 of the Secretariat Instructions and that Department is requested to forward two clean-typed copies of the draft as required by the said rules and to follow the practice in every case forwarded to this Department for scrutiny.

for Additional Secretary to Government.

U.R. to L & H.D. No. 6174, dated the 5th May 1950.

L.&H.D.
F Sr.

These papers may to returned to L.D. with two typed copies of the draft notifications on P. 37-40 ante as desired. L.D. may be requested to treat this case as "Immediate"

6/5/50

U.O.R. to L.D. dated 6/5/50.

G.R.I

Labour and Housing Department,
Bombay Castle, May 1950.

NOTIFICATION

Bombay Building (Control on Erection) Act, 1948 (Bom XXXI of 1948) and Bombay Building (Control on Erection) (Amendment) Act, 1950 (Bom XV of 1950)

No. 53/48(a):- In exercise of the powers conferred by Section 3 of the Bombay Building (Control on Erection) Act, 1948, (Bom XXXI 1948) as amended by the Bombay Building (Control on Erection) (Amendment) Act, 1950 (Bom XV 1950), the Government of Bombay is pleased to appoint:-

(i) The Director of Industries, Bombay, as the Controller of Buildings for the City of Bombay, the Bombay Suburban District and the Thana Taluka of the Thana District for the purposes of buildings intended to be used for an industrial undertaking;

(ii) the Rationing Officer (Iron and Steel), Bombay, as the Controller of Buildings for the City of Bombay and the Bombay Suburban District for the purposes of buildings intended to be used as a theatre, a cinema or any other place of publict amusement;

(iii) the District Magistrates as the Controllers of Buildings for their respective Districts for the purposes of buildings intended to be used as a theatre, a cinema or any other place of public amusement

By order of the Governor of Bombay,

Sd. J.R. Dhuvandhar

Secretary to Government,
Labour and Housing Department.

Bombay Building (Control on Erection) Act, 1948 (BOM XXXI of 1948) and Bombay Building (Control on Erection) (Amendment) Act 1950 (BOM XV of 1950)

No. 53/48 (b):- In exercise of the powers conferred by section 11 of the Bombay Building (Control on Erection) Act, 1948 (BOM XXXI of 1 as amended by the Bombay Building (Control on Erection) (Amendment) Act, 1950 (BOM XV of 1950), the Government of Bombay is pleased to authorise the following persons for the purposes of the said section namely:-

Legal Department.

In place of Labour and Housing Department draft notifications at pages 49-51 ante revised drafts are sent herewith.

Additional Secretary to Government.

U.R. to L.&H.D. No. 6456, dated the 11th May 1950.

L.&H.D.

The Bombay Building (Control on Erection) (Amendment) Act, 1950, which was read a and passed by both the Houses during the last session and which has since obtained the ascent of the Governor, will shortly came into force as soon as the L.D. publishes the Act in the Gazatte. It has already been decided in other papers (under u.o.r. to R.L.A. at pressent) that the Director of Industries, Bombay, should be appointed as the "Controller" under the Act for industrial undertakings in Bombay City, B.S.D. and the Thana Taluka of the Thana Dist., the D.M.S. of the Dists. should be appointed as "Controller for Cinemas etc. in their respective Ds Dists., and the Rationing Officer (Iron and Steel) Bombay, should be appointed as "Controller" for Cinemas etc. in Bombay City and B.S.D. Detailed instructions have already been issued to the present Controller of Building. (Shri L.S.Ahuja) to hand over charge to the new "Controllers" (Director of Industries, so far as industrial undertakings are concerned and Ration Officer (I.C.S.) so far as cinemas etc. are concerned) as soon as notifications under the Act appointing these Officrs as "Controllers" are published. Shri Ahuja has kept every-thing in readiness for handing over charge. After the appointment of men "Controllers", the subject of "Bombay Building Central " so far as industrial undertakings are concerned will be transferred to the Development Deptt under whose control the Director of Industries works. All spending files on the subject in this Deptt. will therefore, be transferred to D.D. for disposal. So far as Cinemas etc. are concerned, the and the R O (I&S) B'by will be directly concerned, but all appeals against the orders of there C... ers under section 6 of the Act will be dealt with in this Deptt. para 5 of Secretary's note of the 22-2-50 on page 11 ante.

2. Draft notifications are put up for approval which may since as soon as the L.D. publishes the Assembly Act in the Gazette. Draft Press Note explaining their new functions position to the public as well as draft Circular to all D.Ms explaining their new functions under the Act are also put up for approval. Perhaps the R.L.A. may see the notifications no. for re if necessary, before issue.

S.U.S.

Secretary

1. The Director of Industries, Bombay

2. The Rationing Officer (Iron and Steel), Bombay,

3. The District Magistrates of all Districts in the State of Bombay.

By order of the Governor of Bombay

J.R. Dharmadhikari

Secretary to Government,
Labour and Housing Department.

3.9.50.

No. 53/48(c) The following Government Notifications are hereb cancelled:-

(1) Political and Services Department Notification No. 985/46(c) dated the 15th January 1948 authorising the Controller of Buildings, Shri S.A.Patel and Shri V.R. Bhatt for the purposes of section 10 of the Bombay Building (Control on Erection) Ordinance, 1948.

(2) Political and Services Department Notification No. 985/46 dated th 16th January 1948, appointing the Superiors Building Materials Sub-Office Ahmedabad, as Controller of Buildings for the Ahmedabad Municipal Poraugh and the Ahmedabad Continent.

(3) Political and Services Department Notifications Nos. 985/46-I and 985/46-II dated the 23rd February 1948 appointing Mr. L.S.Ahuja as Deputy Controller of Buildings, and Controller of Buildings for the City of Bombay, the Bombay Suburban District, the Thana Taluka of the Thana District and the Kalyan Municipal Borough. Borough.

(4) Labour Department Notifications Nos. 985/46-I and 985/46-II dated the 21st April 1948 appointing Mr. D.P.Shah as Controller of Buildings for the Ahmedabad Municipal Borough and the Ahmedabad Concontinent, and authorising Mr. D.P.Shah for the purposes of section 11 of the Bombay Building (Control on Erection) Act, 1948.

(5) Labour Department Notifications No. 985/46(b) dated the 16th September 1948 appointing Mr. L.S.Ahuja as Controller of Buildings for the whole of the Province.

(6) Labour Department Notification No. 985/46(b) dated the 16th September 1948 appointing Mr. V.T R.Bhatt as Controller of Buildings for the City of Bombay, the Bombay Suburban District and the Kalyan Municipal Borough.

(7) Labour Department Notification No. 670/46 dated the 23rd October 1948 appointing Mr. S.A.Patel as Controller of Buildings for the Ahmedabad Municipal Borough and the Ahmedabad Continent.

By order of the Governor of Bombay.

Secretary to Government,
Labour and Housing Department.

~~3.5.50.~~

To be published in the Bombay Government Gazette Extra ordinary Part I and to be returned with 100 spare copies.

Assistant Secretary to Government,
L.&H.D.

Bombay Building (Control on Erection) Act, 1948.

GOVERNMENT OF BOMBAY,
Labour Department,
Circular No. 1809/48/31271-E,
Bombay Castle, 28th September 1949.

The attention of all District Magistrates is invited to the Political and services Departments letter No. 986/46-F, datedx the 21st/26th January 1948, (copy attached for ready reference) regarding the extension to 11 areas in this province, of Bombay Building (Control on Erection) Act, 1948, so far as construction of cinema theatres and other places of amusement or entertainment is concerned. It has come to th notice of Government that permission for construction of cinema theatres is being fiven by District Matistrates in direct contravention of the orders issued in Government, letter referred to above. All District Magistrates are therefore requested to see that the orders issued in Government letter, Political and Services Department, No,986/46-F, dated the 21st/26th January 1948 are followed strictly and no permission is given in future for erection of cinema theatres and other places of amusement or entertainment, without the prior permission of the Controller of Buildings, Bombay. They are xkx also requested to bring this fact to the notice of the Municipal and other local bodies in their jurisdiction and direct them not to allow any construction of cinema theatres and other places of amusement or entertainment without permission from the Controller of Buildings, Bombay.

By Order of the Governor of Bombay.

For Secretary to the Government of Bombay
Labour Department.

To

All the district Magistrates.

Copy forwarded for information to:-

The Home Department,
Queen's Barrack, Bombay.

NOTIFICATION.

Labour and Housing Department,
Bombay Castle, 13th May 1950.

Bombay Building (Control on Erection) Act, 1948.

No. 53/48(a):- In exercise of the powers conferred by section 3 of the Bombay Building (Control on Erection) Act, 1948 (Bom. XXXI of 1948), the Government of Bombay is pleased to appoint,-

(i) The Director of Industries, Bombay, as the Controller of Buildings for the City of Bombay, the Bombay Suburban District and the Thana Taluka of the Thana District, for the purposes of the Act in respect of buildings intended to be used for an industrial undertaking;

(ii) The Rationing Officer (Iron and Steel) Bombay, as the Controller of Buildings for the City of Bombay and the Bombay Suburban District, for the Purposes of the Act in respect ofbuildings intended to be used for the purpose of a theatre, a cinema or any other place of public amusement;

(iii) All District Magistrates as Controllers of Buildings for their respective Districts for the purposes of the Act.

II

No. 53/48(B):- In exercise of the powers conferred by section 11 of the Bombay Building (Control on Erection) Act, 1948 (Bom.XXXI of 1948), the Government of Bombay is pleased to authorise the following persons for the purposes of the said section 11, namely:-

1. The Director of Industries, Bombay.
2. The Rationing Officer (Iron and Steel), Bombay
3. All District Magistrates in the State of Bombay.

III

No. 53/48(c):- In exercise of the powers conferred by Section 3 of the Bombay Building (Control and Erection) Act, 1948 (Bom.XXXI of 1948), the Government of Bombay is pleased to cancel the following notifications namely:-

(i) Government Notification, Political and Services Department No. 985/46, dated the 16th January 1948;

(ii) Government Notifictions, Political and Services Department No. 985/46-I, and No. 985/46-II, dated the 23rd February 1948;

R.G.D.

(iii) Government Notification, Labour Department, No. 985/46-I, dated the 21st April 1948;

(iv) Government Notification, Labour Department, No. 985/46(b), dated the 16th September 1948;

(v) Government Notification, Labour Department, No. 985/46(c), dated the 16th September 1948;

(vi) Government Notification, Labour Department, No. 670/46, dated the 23rd October 1948.

IV.

No. 53/48(d):- In exercise of the powers conferred by section 11 of the Bombay Building (Control on Erection) Act, 1948 (Bom. XXXI of 1948), the Government of Bombay is pleased to cancel the following notifications, namely:-

(i) Government Notification, Political and Services Department, No. 985/46(c), dated the 15th January 1948;

(ii) Government Notification, Labour Department, No. 985/46-II, dated the 21st April 1948.

By order of the Governor of Bombay,

Secretary to Government.

L.&H.D. (F)

Submitted w.r. to the o.n. dated 3.5.50. at pp. 35-36ante.

2. Please see the note of the L.D. at page 53 ante. The Amending Act has been published in B.G.G. dated 2.5.50. Revised draft notifications recei from L.D. may now be published in the Bombay Govt. Gazette Extra-ordinary Pa I. After issue of these Notifications, draft Press Note and draft circular at papers 41 and 43 may issue.

3. Secretary may please sign revised draft notifications at papers 55-56 ante, and approve of the draft Press Note and draft circular at papers 41-42. and 43-44.

Resubmitted.

Draft Notifications at papers 55-56 ante have been issued. The draft Press Note and Draft Circular of papers 41-42 and 43-44 may now be signed for issue.

15.5.50.

No. 53/48

L.&H.D.

B.C. 13May 1950

Memo

The u.s.b.c. to the manager, Govt Central Press Bmb Bombay, and w.r. to the enclosed G.N., L.&H.D., No. 53/48(a)(b)(c)(d) dated May 1950, is sh directed to state that the G.N. may be published in the B.G.G. Extra- ordinary Part I and be returned with 100 spare copies B.o.etc.

Bombay Building (C. on E.)
Act, 1948.

Government of B'by
L.&H.D.
Circular No. 53/48

B.L. May 1950.

Circular: The Bombay Building (C on E.) Act, 1948as amended by the Bombay Building (c.on E.) (Amendment) Act 1950, applies inter alia to the whole of the State of Bombay, so far as buildings which are intended to be used for the purpose of a theatre, a cinema or any other place of public amusement are concerned. Hitherto, the Controller of Building, B'by, was empowered under the Act to receive and consider applications for construction of these buildings, all over the State. Govt. has now decided to appoint the District Magistrates as Controllers under the Act for this purpose so far as the City of B'by and B.S.D. are concerned. The necessary notifications under the Act are being published in the B.G.G. Extra-ordinary Part I.

in their respective districts and ration offices (Iron and Steel) Bombay as Controller for this purpose

2. In the meantime, all D.Ms and the RO(I&S), B'by, are informed that no permission should on any account be given by them(under the Act) for the construction of buildings of this kind without the prior approval of Govt. in this Deptt. When referring such cases to this Deptt. for orders, a self- contained report should be made and all case papers should accompany it, in order to enable Govt. to examine each case on its over merits. In this connection, the attention of all D.Ms is invited to the constructions contained in G.C. Labour Deptt. No. 1809/48/3/27/-E dated the 28.9.49.

3. The G.P.& S. B'by is being regulated to forward to all DMs and the RD (I&S) B'by direct copies of the Bombay Building (C. on E.) Act, 1948 the Bombay Building (C. on E.) (Amendment) Act, 1950, the Bombay Building (C. On E.) Rules, 1948, and copies of G.N., L.&H.D., Nos. 53/48(a)(b)(c)(d) dated 13 May 1950 published in the B.G.G. Extra-ordinary Part I.

By order of the Governor of B'by

Secretary to Government

All Distt. Magistrates,
The R.D.(I&S.) B'by.

No. 53/48.

Press Note

In a Press Note issued on the 7/3/50, it was announced that the Bombay Building (C. on E.) Act, 1948, would apply ~~thm~~ in future only to the construction of cinemas, theatres and other places of amusement all over the State, and to the construction of industrial premises in Bombay City, B.S.D. and the Thana Taluka of the Thana Distt.

The new Controller of Buildings for the purposes of industrial premises is the Director of Industries, B'bay, and all applications for this purpose should in future be addressed the Controller of Buildings, Office of the Director of Industries, B'by, Old Custom House, B'by. The Deptt. of the Secretariat which will now administer the Building Control Act in its application to industrial premises will be the Development Deptt. instead of the Labour and Housing Deptt.

As regards cinemas, theatres and other places of amusement, applications for construction of such buildings should be addressed to the Rationing Officer, (Iron and Steel) B'by, so far as Bombay City and B.S.D. are concerned and to the respective District Magistrates so far as the Districts are concerned as the offices are the new Controller for this purpose. It may however be stated for the information of those concerned that in view of the prevailing shortage of essential building materials, particularly Steel, permission for constructin these kinds of buildings will not normally be granted

Bombay ENSA HUTMENTS Azad Maidan Bombay.

No. 53/48
L.&H.D.
B.L. May '50.

L.W.C. to:

The Director of Publicity with a request to give wide publicity to this Press Note.

The Director of Industries, B'by
The R.O. (I.&S) B'by,
All D.Ms
The D.D.
The H.D.

By order of

Secretary to Government

L.&H.D.(F)

Please see paras 4&5 of the Secretary's note dated 22.2.50. The Bombay Building (Control on Erection) Act, 1948 has since been amended and the Notification as at page 61, circular as at page 63 and Press Note as at page 65 have also been issued. The Controller of Buildings Shri Ahuja has handed over charge of his post to the Director of Industries etc. on the 1st July 1950.

2. As the subject 'Control of building Construction' has been divided between two Administrative Deptts viz. D.D. and L.&H.D. necessary corrections in the Rule of Business will have to be made.

3. In the subject No. 18 allotted to L.&H.Department correction as follows will have to be made.

Control of building material, and building cnstruction in respect of buildings intended to be used for the purpose of a theatre, a cinema or any other place of public amusement

4. Similarly, the ~~fix~~ following subject will have to be added to the Subjects allotted to the Development Dept.

Control of building construction in respect of buildings intended to be used for an industrial undertaking.

5. The P.&S.D. may be requested u.o. to make necessary corrections in Rule of Business accordingly, and return these papers to this Department, when done with.

6. D.D. may see these papers u.o. ~~tmxm~~ first and pass them on to P.&S.D. for necessary further action.

U.o.R. to D.D./ P&S.D.

26.6.50.

Development Deptt.

Seen and passed on u.o. to the P&D.

Political and Services Department.

"B" Branch.

Under Govt. Resolution P.&S.D. No. 996/34, dated the 31st December 1946 proposals for reallocation of subjects among the Deptts. of the Sectt. have to be submitted to the H.Ms. concerned and the requisite orders will have to be issued by this Deptt.

2. The proposal in these papers is to divide the subject Control of building materials and building construction "which is shown at serial No. 18x in the Labour & Housing Dn Departt's. list of subject in the Schedule to the Rules of Business, between the L.&H.D. and the D.D. so that the x control so far as building of theatres and other places of public amusements are concerned would continue to remain with the L.&H.D. while the control in respect of buildings for industrial undertakings would go to the D.D. The proposal involves a change in the portfolios of H.Ms. The subject "Control of building materials and building construction" is at present in the H.M. (PWD) and Housing's list of subjects. The control so far as buildings for industrial undertakings are concerned would, in the event of the above proposal being accepted, go to the H.M. (Industries and Labour).

3. Please see page 1 ante. The above changes are as a result of the arrangements prop proposed in the Secy. L.&H.D.'s note dated th 22nd Feb. 1950 and approved by Govt. The case was then submitted to Government more or less with reference to the Bombay Building (Control on Erection) Act. 1948, so as to restrict it only to buildings for public amusements and industrial undertakings and the execution of the work connected with it. It cannot, therefore, be assumed that Govt. has specifically approved of the administrative arrangements, i.e.reallocation of the subject to the Sectt. Deptts. and also H.Ms.

These papers may, therefore, be submitted now to H.M. (P.W.D. and Housing) H.M. (industries and Labour) and the H.C.M. for approval of the proposal. This Deptt will then issue the necessary circular transferring part of the subject from the Labour and Housing Department to the D.D. The papers will therefore be sent U.O. to the Secy. to the Govt. for amendment to the Circular issued by him reallocating the business of Govt. among the H.M.S

Id/-
10/8/50

Id/-
11/8/50

Id/- M.D.B.(hat)
12/8/50

H.M.(P.W.D. and Housing

Id/-
21/8/50.

H.M.(Industries and Labour) Id/-
22/8/50

H.C.M. Id/-
24/8/50

Id/- M.D.B.(hat)
25/8/50

Resubmitted after the issue of the circular These papers may now be sent u.o. to the Secy. to the Governor for issuing the necessary corrections to his Circular No. P.S.G.-977 dated the 6th April 1950. He may be requested to return the papers to this Deptt. as soon as done with.

Id/-
2.9.50.

Id/- G.Z.V.(anjara)
2/9/50

U.O.R. to Secy. to Governor dtd. 4/9/50

Rules of Business

Reallocation of subjects among
the Departments of the Secretariat.

GOVERNMENT OF BOMBAY.
Political and Services Department.
Circular No. 996/ 34-B
Bombay Castle, 30th August 1950.

C I R C U L A R.

Government is pleased to direct that the control of building material and building construction so far as it relates to buildings for industrial undertakings should be transferred from the Labour and Housing Department to the Development Department. The control of building material and building construction so far as it relates to buildings of theatres and other places of public emusements should continue to remain with the Labour and Housing Department.

The necessary amendment to the Schedule to the Rules of Business will be made in due course.

By order of the Governor of Bombay,

M.D.Bhat,

Chief Secretary to the Government of Bombay,
Political and Services Department.

The Secretary to the Governor,

The Secretary to the Honourable the Chief Minister,

All personal Assistants to the Honourable Ministers,

The Labour and Housing Department,

The Development Department,

All other Departments of the Secretariat.

P.&S.L.
B

This Deptt. has seperetly received copies of the Secy. to Governor corrigendum. T

There papers may now be returned u.o. to the L.&H.D. The proceedings at page 69-73 may be kept in this Deptt. and only these copies may be attached to the papers before returning them to that Deptt.

5/10/50.

A.S.

U.O.R: To Labour and Housing Deptt.

Labour and Housing Department

Submitted with reference to this Department office note dated 24.6.1950

No man action is now called for on the papers

No.2817/§ 45-L.

Revenue Department.
Secretariat, Bombay.
19th October 1950.

To

The District Magistrate,
Poona.

Subject:- Bombay Entertainments Duty Act, 1928.
Extension of operation of - to certain villages and towns.

Reference your letter No.POL.2643/450, dated the 19th August 1950. The requisite orders and notification extending the operation of the act, to the villages and towns are being issued. It is presumed that the cinemas have obtained the requisite licenses from you.

2. In this connection your attention is also invited to the requirements of the Bombay Building (Control on Erection) Act, 1948. It is presumed that the cinemas in question have obtained your permission as required under the above Act, to use 'specified' building materials where necessary. If there is any breach of the provisions of this Act by any of these cinemas, please submit your report immediately to Governmentin the Labour and Housing Department in the matter for further consideration.

By order of the Governor of Bombay,

Sd/-

Assistant Secretary to the Government of Bombay,
Revenue Department.

Copies to :-

the Home Department,

the Labour and Housing Department.

No. 2922/5-Poll.
Home department (Political).
Bombay Castle, 24th October 1950.

From

Shri L.R.Dalal, I.C.S.
Deputy Secretary to the Government of Bombay,
Home Department.

To

The District Magistrate,
Ratnagiri.

With reference to the correspondence ending with your No. POL, dated the 24th August 1950, I am directed to state that Government has no objection to the construction of a cinema theatre at Deorkh by Messrs. D.P. Athalye and S.V.P Prabhavalkar provided no building materials specified in Act, 1948, are used.

L.R.Dalal.

Deputy Secretary to the Government of Bombay,
Home Department.

No. 2922/5-Poll.
Home Department (Political),
Bombay Castle, 24th October 1950.

Copy forwarded to the Labour and Housing Department for information.

By order of the Governor of Bombay,

for Deputy Secretary to the Government of Bombay,
Home Department.